

SIGNED.

Dated: June 25, 2019



  
Paul Sala, Bankruptcy Judge

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Extensia Financial

**IN THE UNITED STATES BANKRUPTCY COURT  
IN AND FOR THE DISTRICT OF ARIZONA**

In re:  
REGENCY PARK CAPITAL 2011, INC.,  
  
Debtor.

Chapter 11

Case No. 2:15-bk-15280-PS

**THIRTEENTH ORDER FURTHER  
EXTENDING FINAL ORDER (I)  
APPROVING USE OF CASH  
COLLATERAL, (II) GRANTING  
ADEQUATE PROTECTION, AND (III)  
SETTING DEADLINES RE  
APPROVAL OF ORDER ON A FINAL  
BASIS**

**Date: No hearing required  
Time:**

Having considered the stipulation between Regency Park Capital 2011, Inc., the debtor and debtor in possession ("Debtor") in the above-captioned bankruptcy case (the "Case") and Extensia Financial (fka CU Business Partners, LLC), servicing agent ("Agent") for and on behalf of Farmers Insurance Group Federal Credit Union, a Federally Chartered Credit Union, its successors, assigns or beneficiaries ("Secured Party"), and all papers in the Court's file relating to the subject matter hereof, and finding good cause therefor,

1 **IT IS HEREBY ORDERED** that:

2 1. The Final Order (I) Approving Use of Cash Collateral, (II) Granting Adequate  
3 Protection, and (III) Setting Deadlines Re Approval of Order on a Final Basis [Etc.] [ECF86]  
4 together with the Order Extending Final Order (I) Approving Use of Cash Collateral, (II)  
5 Granting Adequate Protection, and (III) Setting Deadlines Re Approval of Order on a Final Basis  
6 [ECF110] is hereby amended and further extended as follows:

7 a. Expiration Date. Section 1.2.1(a) of the Final Order is amended by  
8 deleting that subsection in its entirety and replacing it as follows: “the earlier of the close  
9 of the sale of the real property contemplated by the Plan or August 31, 2019.”

10 b. Budget. Exhibit A to the Twelfth Final Order is hereby amended by  
11 deleting Exhibit A attached to the Final Order in its entirety and replacing it with Exhibit  
12 A attached hereto.

13 c. Liquidating Agent. Upon the Effective Date the Liquidating Agent shall  
14 have the rights afforded Debtor in the Final Order for purposes of continued cash  
15 collateral use. For the avoidance of doubt, nothing contained in the Stipulation or this  
16 Order shall

17 (i) obligate the Liquidating Agent to expend funds for all of the  
18 categories or in all of the maximum amounts listed in the Budget (Exhibit A); rather, the  
19 Liquidating Agent shall retain discretion in this regard; or

20 (ii) constitute approval of any specific amount of fees claimed by either  
21 the Liquidating Agent or his legal counsel; rather, all such fees shall be subject to applicable  
22 standards (including reasonableness), with any disputes regarding them to be resolved by this  
23 Court.

24 2. No Other Changes. Except as explicitly amended by this Order, all of the terms  
25 and conditions of the Final Order remain unchanged and in full force and effect. The Final Order  
26 as amended by this Thirteenth Order constitutes the entire order of the Court with respect to the  
27 subject matter hereof and thereof.

28

1 Counsel for the secured creditor shall serve a copy of this order on all creditors and  
2 interested parties. Any party objecting to the order shall file an objection with the Court no later  
3 than 14 days after service of the order.

4 DATED AND SIGNED ABOVE.  
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EXHIBIT A

REGENCY PARK BUDGET EXPENSES -Proforma – July 1 to August 31, 2019

| Accounts Payable  | Services Provided  | Appx. Monthly Payment                          |
|---|--|--|
| APS   | ELECTRICITY  | \$4,200.00                                     |
| IER - ENEGRY RESOURCES  | SPECIAL APS LIGHTING PROG.   | \$0.00   |
| BOOKING.COM   | LISTING / ADVERTISING  | \$1,200.00                                     |
| EXPEDIA   | TRAVEL SERVICES  | \$900.00                                       |
| EXTENSIA  | ADEQUATE PROTECTION PAYMENTS   | \$20,809.00                                    |
| PAYROLL GROSS   | PAYROLL FOR EMPLOYEES - 16   | \$25,000.00                                    |
| WHG FRANCHISE FEES  | FRANCHISE FEES   | \$11,000.00                                    |
| CITY OF GOODYEAR  | WATER TAX  | \$1,893.00                                     |
| CITY OF GOODYEAR  | WATER TAX  | \$2,003.00                                     |
| IRS/STATE/FICA,STATE/FEDERAL  | EMPLOYER CONTRIBUTION  | ACTUAL   |
| TAXES - ROOM TAX  | ROOM / SALES TAXES   | \$11,000.00                                    |
| UNEMPLOYMENT TAX  | UNEMPLOYMENT TAX   | ACTUAL   |
| POST CONFIRMATION LIQUIDATING<br>AGENT FEES AND EXPENSES /<br>PAYMENT OF PROFESSIONALS<br>EMPLOYED BY LIQUIDATING AGENT | EXECUTION OF CONFIRMED PLAN<br>AND BANKRUPTCY PROFESSIONAL<br>SERVICES | \$25,000.00 (total of<br>\$50,000.00 allotted) |
| UST FEES  | TRUSTEE SERVICE  | ACTUAL   |
| LAW & REED CPA  | CPA FINANCIAL SERVICES   | \$525.00                                       |
| COX COMMUNICATION   | CABLE SERVICES   | \$1,200.00                                     |
| COX COMMUNICATION   | PHONE / INTERNET   | \$600.00                                       |
| BREAKFAST FOOD - GUESTS   | FOOD   | \$3,200.00                                     |
| VONTAGE PHONE SERVICE   | PHONE SERVICES   | \$52.00  |
| ETHOSTREAM  | WIFI   | \$90.00  |
| REPUBLIC SERVICE  | GARBAGE SERVICES   | \$468.00                                       |
| SOUTHWAEST GAS  | GAS SERVICES   | \$1,360.00                                     |
| MERCEDES VEHICLE  | CAR PAYMENT  | \$150.00                                       |
| MERCEDES VEHICLE  | GAS / MAINTENANCE  | \$300.00                                       |
| GEICO AUTO INSURANCE  | AUTO INSURANCE   | \$95.00  |
| ACE POOL COMPANY  | POOL MAINTENANCE   | \$250.00                                       |
| CARBONS   | WAFFLE EQUIPMENT   | \$300.00                                       |
| FARMERS BROTHERS  | COFFEE SUPPLIES / SERV   | \$450.00                                       |
| HOME DEPOT  | GENERAL SUPPLIES   | \$1,500.00                                     |
| LWC   | LAUNDRY SUPPLY SERVICES  | \$409.00                                       |
| FURNITURE REPLACEMENT   | CASE GOODS   | \$5,000.00                                     |
| VISTAR  | BREAKFAST SUPPLIES   | \$0.00   |
| WESTERN SUPPLY  | BUSINESS STATIONARY CARDS  | TBD  |
| CONTRACT LABOR / MISC HELP  | VARIOUS MISC WORK  | \$1,200.00                                     |
| EMERGENCY REPAIRS / PRETTY CASE   | REPAIRS / MAINTENANCE ETC  | \$300.00                                       |

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| MISC SUPPLIES - COSTCO | MISC SUPPLIES                      | \$2,000.00   |
| ELECTRICIAN            | ELECTRICAL REPAIR /<br>MAINTENANCE | \$200.00     |
| Parking Lot            | REPAIRS / MAINTENANCE ETC          | \$5,000.00   |
|                        |                                    |              |
|                        | <b>TOTAL EXPENSES</b>              | \$127,654.00 |
|                        |                                    |              |
|                        | <b>ANTICIPATED REVENUE</b>         | \$125,000.00 |